

Message Text

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54

ACTION EB-07

INFO OCT-01 AF-06 ARA-06 EUR-12 EA-07 NEA-10 IO-11 ISO-00

SP-02 USIA-06 AID-05 NSC-05 CIEP-01 TRSE-00 SS-15

STR-04 OMB-01 CEA-01 CIAE-00 COME-00 FRB-03 INR-07

NSAE-00 XMB-02 OPIC-03 LAB-04 SIL-01 L-03 PA-01 PRS-01

DODE-00 H-02 FTC-01 SEC-01 JUSE-00 IGA-02 /131 W

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P R 161604Z MAR 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 7266

INFO AMEMBASSY ANKARA

AMEMBASSY ATHENS

AMEMBASSY LAGOS

AMEMBASSY LIMA

AMEMBASSY MADRID

AMEMBASSY ROME

AMEMBASSY THE HAGUE

AMEMBASSY TOKYO

AMEMBASSY BOGOTA

AMEMBASSY CANBERRA

AMEMBASSY CARACAS

USMISSION EC BRUSSELS

AMEMBASSY JAKARTA

AMEMBASSY JIDDA

AMEMBASSY LA PAZ

AMEMBASSY MEXICO CITY

AMEMBASSY OTTAWA

USMISSION OECD PARIS

USMISSION USUN NEW YORK

AMEMBASSY TEHRAN

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E.O. 11652: N/A

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TAGS: EINV, PFOR

SUBJ: USG PROPOSAL ON CORRUPT PRACTICES

REF: STATE 54193

1. EMBASSY BROUGHT DEPUTY SECRETARY INGERSOLL'S STATEMENT TO ATTENTION OF MFA DEPUTY ASSISTANT SECRETARY SIGRIST, DR. HISS IN CHANCELLERY, ECONMIN DEPUTY ASSISTANT SECRETARY ABRAMOWSKI, AND OTHER FRG OFFICIALS ON MARCH 5, BUT THESE OFFICIALS DID NOT MAKE ANY SUBSTANTIVE COMMENT AT THAT TIME.

2. GERMAN RESERVATIONS CONCERNING USG PROPOSAL WERE EXPLAINED TO EMBOFF ON MARCH 15 BY VON DEWITZ, WHO DIRECTS INTERNATIONAL INVESTMENT OFFICE IN ECONOMICS MINISTRY. IN FRG VIEW, A BINDING CODE ON CORRUPT PRACTICES WOULD SET AN UNWELCOME PRECEDENT FOR UN WORK ON TRANS-NATIONAL ENTERPRISES. ONCE THE INDUSTRIALIZED COUNTRIES HAVE AGREED TO A BINDING CODE RELATED TO ONE AREA OF CONCERN, IT WILL BE MUCH MORE DIFFICULT TO ARGUE AGAINST INCLUSION OF BINDING ELEMENTS IN GENERAL TNE CODE. FRG ALSO PREFERS NOT TO TREAT CORRUPT PRACTICES ISSUE SEPARATELY FROM OTHER UN WORK ON TNE'S. AS A SPECIFIC ADVANTAGE IN KEEPING THIS WHOLE PACKAGE TOGETHER, VON DEWITZ BELIEVES THAT LDC'S COULD BE PERSUADED TO TREAT CORRUPT PRACTICES ISSUE IN THE GENERAL CODE AS A RESPONSIBILITY SHARED BY GOVERNMENTS AND ENTERPRISES. HE BELIEVES IT IS IMPORTANT TO AVOID UN CODE GOVERNING BEHAVIOR ONLY OF PRIVATE ENTERPRISES AND NOT OF GOVERNMENTS. CORRUPT PRACTICES ISSUE WOULD PROVIDE BASIS FOR DISCUSSIONS WITH LDC'S CONCERNING MEASURES THAT GOVERNMENTS COULD TAKE. VON DEWITZ NOTED THAT HE HAD PREVIOUSLY EXPRESSED THESE RESERVATIONS DURING DISCUSSIONS OF LIMA MEETING AT FEBRUARY 17-18 SESSION OF OECD INVESTMENT COMMITTEE DRAFTING GROUP. HE WOULD BE GLAD TO REVIEW THEM AGAIN WITH US REPS ATTENDING INVESTMENT COMMITTEE MEETING BEGINNING MARCH 18.

3. VON DEWITZ BELIEVES IT LIKELY THAT CORRUPT PRACTICES ISSUE WILL NEXT SURFACE AT SUMMER ECOSOC LIMITED OFFICIAL USE

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MEETING. IF THIS ISSUE IS PLACED ON ECOSOC AGENDA, HE RECOMMENDS THAT USG AND FRG CONSULT FULLY BEFOREHAND, EITHER BILATERALLY OR IN OECD FRAMEWORK. HILLENBRAND

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Message Attributes

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